

*L. Bradford Prince*

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11.

PROCEEDINGS

OF THE

Republican Union State Convention,

HELD IN THE CITY OF SYRACUSE,

ON

Wednesday, September 5th, 1866.

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TEMPORARY ORGANIZATION.

The State Convention of the Republican Union party of New York, to nominate candidates for State offices to be filled at the ensuing general election, met in Wieting Hall, in the city of Syracuse, on Wednesday, September 5th, at twelve o'clock noon. The assembling of the convention was heralded by a national salute from Capt. Hudson's "Union" gun. The hall was filled to its utmost capacity.

Mr. William R. Stewart, chairman of the State Committee, called to order.

Mr. W. S. Lincoln, of Tioga, moved that the Hon. Lyman Tremain, of Albany, be temporary chairman.

Mr. E. M. Madden, of Orange county, moved to amend that Gen. Charles H. Van Wyck, of Sullivan, be temporary chairman.

The question was put on the selection of Gen. Van Wyck as temporary chairman, and it was carried by a decided majority.

Messrs. Lyman Tremain, of Albany, and James A. Bell, of Jefferson, were designated to conduct Gen. Van Wyck to the chair. The chairman's appearance on the platform was greeted with applause.

## SPEECH OF GEN. VAN WYCK.

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Five years ago I had the honor to preside over the deliberations of the representatives of the Union party of the State of New York, just engaging in the stern conflict of arms, standing upon the same platform of principles as now, with the same destiny before and the same banner over us. We were pleading then that the great trusts bequeathed by our fathers should not without a struggle be surrendered to the demands of rebels, as we are this day pleading that the results of the victory over treason shall not be abandoned, that we shall not publicly proclaim that the blood of three hundred thousand patriots has been shed in vain. The nation responded then, and with bayonet and bullet went forth and conquered. With the same zeal, and trusting in the same God, it will respond now and go forth with the ballot and again be victorious. [Applause.]

The same battle is still waging, but transferred to another forum. The same elements on either side are in the strife. Then arrayed against us were rebels in arms, copperheads conspiring with threats and denunciations, appealing to cowardice and avarice, through Knights of Golden Circles and Sons of Liberty—the machinations of aristocrats and crowned heads. All these are against us to-day.

Then with us were the stout arms and brave hearts of our army of soldiers, the exertions of millions at home, the prayer of every heart panting for liberty of whatever tongue, color and nationality. All these aids and holy influences are with us to-day, except the few, who, looking from a new stand point here, felt constrained to form an alliance with those they lately despised.

But we have now what we had not then, the glowing memories and associations of a thousand battles on the land and on the sea, while rallying by our side are the spirits of patriot martyrs—LYON, KEARNEY, REYNOLDS, SEDGWICK and MCPHERSON, and last, though not least, our own beloved WADSWORTH—cherished in life. his memory will be green forever; of the thousands who fill honored though unknown graves in the swamps of the Peninsula, the thickets of the Wilderness, on the field of Gettysburg, among the clouds of Lookout Mountain, at Vicksburg and Port Hudson; of the brave sailors who fired the last shot defiantly from out the water that was swallowing up the gallant crew and the *Cumberland*, with the flag of their country flying above their

opening grave. [Applause.] That gallant spirit-band which went out from the tortured, starved and murdered flesh at Belle Isle, Libby, Salisbury and Andersonville; the spirit, too, of that great Christian patriot, whose maligners while living, the friends of whose assassins, the villifiers of whose memory when dead, are now the boon companions around the festive board, and rejoicing in the patronage of a man who has betrayed the trust of a confiding people. How then can the dead body of Rebellion, though galvanized for a time, and into its veins may be infused a few drops of loyalty, prevail against us?

The single issue made up by the President of the United States is before the American people: Shall the States lately in rebellion be immediately restored to those rights forfeited by treason, or shall they wait until the results achieved by blood on the field shall be firmly and forever secured by constitutional acknowledgment? JOHNSON may call us constitutional tinkers. Does he not remember that every act of the great LINCOLN for suppressing the rebellion, every tinkling of the little bell by SEWARD, which consigned to Fort Lafayette northern traitors without trial by jury or benefit of clergy, every act of congress to raise revenue or an army, was denounced as unconstitutional? JAMES BUCHANAN pronounced not only secession but its coercion or suppression unconstitutional. Let us run no such hazard again, but engross so deeply on the foundations of the republic the lessons of this war that bad men in the future can read and understand them. [Great cheering.]

President JOHNSON, in his pilgrimage ostensibly to lay the corner stone of a monument to one of the statesmen of the republic, is greeted and entertained by men of all parties, taking the great heroes of the army and navy to create enthusiasm, playing the demagogue by pretending to be one of the tribunes of the people, yet openly ignoring their representatives and even themselves, by withdrawing from their control the settlement of the great issue before the country, is giving the only choice ever yielded by tyrants—that of willing obedience.

In New Orleans he allows the worst creatures of the rebellion to suppress what he calls a usurpation, although it be only an assembly of Union men in peaceful council, while the bitter malignity of his every speech clearly indicates the purpose to attempt the suppression of the American Congress as a usurpation if the loyal men dare elect one in opposition to his policy. It is well we should know the dangers surrounding us; that we be prepared to meet the emergency, and let the ballot-box give forth no uncertain sound.

He brands an independent press as "corrupt, mercenary and subsidized," because it does not flatter his egotism and sing peans to his infamous policy. Who but he in this land has power to subsidize the press, and who before has used it so basely and unscrupulously?

While denouncing Congress "as what is called or claims to be a Congress, hanging on the verge of the Government," does he forget that the same votes alone made him the President, that the Southern States had no voice in this election, that Congress has at least the merit of not having betrayed that portion of the people which elected it?

Congress and their advocates to-day are not demanding all that JOHNSON said at one time should be exacted from rebels. He professes devotion still to the Baltimore platform of 1864, which pledges assistance to the Government "in bringing to the punishment due to their crimes the rebels and traitors arrayed against it." [Applause.] In accepting that platform he did not consider States in rebellion entitled to immediate restoration. He said: "But in calling a convention to restore the State, who shall restore and reestablish it? Shall the man who gave his influence and means to destroy the Government? Is he to participate in the great work of organization? Shall he who brought this misery upon the State be permitted to control its destinies? If this be so, then all this precious blood of our brave soldiers and officers will have been wantonly spilled. All the glorious victories won by our noble armies will go for naught; and all the battle-fields which have been sown with dead heroes during the rebellion will have been made memorable in vain. Therefore I say the traitor should take a back seat in this work of restoration. He forfeited his right to vote when he renounced his citizenship and sought to destroy our Government. Traitors must be punished and impoverished; their great plantations must be seized and divided into small farms and sold to honest, industrious men. Loyal men, whether white or black, should alone control her destinies."

Thus ANDREW JOHNSON taught—no, not taught, but echoed the sentiments of the American people. Such sentiments are now as deep and strong in the loyal heart as when he gave them utterance. [Applause.]

Is Congress an usurpation, the people traitors and rebels, the press mercenary, corrupt and subsidized, because they believe he spoke the truth in 1864? [Applause.]

Seven times in 1865 he proclaimed through his Secretary of State, as he did to South Carolina, "The President considers the acceptance of the amendment by South Carolina as indispensable to a restoration of her relations with the other

States of the Union." Yet, when Congress chooses to consider, it is branded as a usurpation, its members as traitors on the other end of the line whom lie proposes to fight.

In his first message to Congress he said it was not "too much to ask in the name of the whole people that each late rebel State should, before they resumed their places in the family of the Union and in the two branches of the National Legislature, give evidences and pledges of their loyalty." Did he consider all political rights restored to the States when the rebel armies surrendered? Each had a Governor and other officers, yet he sets them aside and appoints, not Military Governors, for the war was over, but Provisional ones, he orders conventions to be held and directs wherein constitutions shall be amended. The States were then not supreme; they had not the power to demand immediate representation. No one then was bold enough to ask, as did JOHNSON in New York: "Will we submit, or will the American people submit to this practical dissolution." No RAYMOND was there to say: "The ten millions of Americans who live in the South would be unworthy citizens of a free country, degenerate sons of a heroic ancestry if they could accept with uncomplaining submissiveness the humiliations thus sought to be imposed upon them." No Philadelphia Convention then to applaud, and no REVERDY JOHNSON to demand a second reading. Oh, no, the "practical dissolution" went on.

JOHNSON telegraphed Gov. SHARKEY to see to it that negro suffrage was allowed in Mississippi. JOHNSON believed then, SEWARD believed then, that rebels had lost political rights, which could only be restored by approbation of Congress, for in July, 1865, JOHNSON wrote to SHARKEY, "It must, however, be distinctly understood that the restoration to which your proclamation refers will be subject to the will of Congress." And in September, 1865, to Gov. MARVIN, he says, "The Government of the States shall be provisional only until the State Government is reorganized, and the basis of that organization will be subject to the decision of Congress." [Applause.] For believing JOHNSON was then right, men are called rebels and traitors, and a war is threatened on the other end of the line. [Laughter and applause.]"

In SEWARD's revelation of cabinet secrets at New York, we are told flippantly how the great question of guarantee and restoration was disposed of—a question which demanded something of consideration from that people which had given millions of treasure and thousands of lives. After speaking of the accession of the new President he says: "Like a prudent man he waited until I, who came of the Northern States and the Republican party, had strength and health

enough to come into his council." And he says to me, "Here is my programme upon which *I* propose to admit the Southern States into the Union so far as it depends on me." I then gave this man my hand and faith that I would stand by that and stand by him.

Was that all of it? These two men, alone, decide and determine the future destinies, for weal or woe, of this great republic. SEWARD gave JOHNSON his hand. It was well that in this betrayal of their trust, they should bind thus closely one to the other. [Sensation and applause.]

In all his declarations and acts, the President recognized the doctrine assumed by Congress, that guarantees should be demanded. Because twice he vetoed the Freedmen's Bureau bill, he says "twice he refused the kingly crown." [Laughter.] Yet he became a *usurper* in the attempt to forestall and wrest the power from Congress, and then a *dictator*, endeavoring to force the sentiments of the loyal nation by charges of treason and rebellion. [Sensation and applause.]

Disunionists, he says, because States are not admitted to immediate representation. Will he claim that the same States were out of the Union during four years of war, yet all that time without representation? He would seem to consider them out. In his same speech at New York, he says "I do not want them to come back into the Union disgraced and degraded."

The men who plotted this rebellion, who murdered a quarter of a million of our countrymen, draped our hearthstones in mourning, and filled the land with tears and sighs and groans, who at Forts Pillow and Wagner committed barbarities disgraceful even to savage warfare, the basest criminals in the world's catalogue of crime, JOHNSON would not degrade or disgrace. So did not the fathers of the Revolution; for, in every State save South Carolina, by legislation they disgraced and degraded Tories. [Applause.]

Let him go to the gray-haired man leaning on his staff, and the mother bowed with grief for the first-born who will not come back again; to the widowed mother, who feels her sacrifice as her children cry for bread; to the maimed and crippled soldier; let him go to the little hillocks on every battle-field of the South, by the thirteen thousand graves at Andersonville; let him stand by the death-beds of DOSTIE and HORTON, victims of his murderous policy, and hear the shouts of exultation from the rebel hordes without, and then mock at the sorrow and outrage the sentiment of the nation by overflowing pity for the men whom he desires not to degrade or disgrace! Let him show us what page of history records WASHINGTON gathering in convention Tories and

cowboys, and eulogizing them as more able, intelligent and patriotic than the men who had fought by his side.

He also says the rebels come up *magnanimously* and acknowledge the question. Who ever heard before of conquered rebels displaying magnanimity in accepting pardon? The magnanimity of South Carolina was so great that she submitted to the indignity of walking arm in arm into the Philadelphia Convention with men from Massachusetts, who represented no party, and were therefore objects of pity to the lofty Southrons, and this display of magnanimity on the part of South Carolina chivalry moved JOHNSON to tears.

Not a word of thanks or gratitude in all his speeches to the soldiers and sailors who saved the country through fire and blood. The Philadelphia Convention dare not, because, as the *New York Times* suggests, the Southern delegates forbade it, and JOHNSON desires not to "degrade or disgrace" them with any unpleasant allusion, and he styles the rebellion merely, a "hiatus as it were." [Laughter.]

The Philadelphia Convention said "let us forgive and forget," while forgiveness of criminals implies a forgetfulness of the crime and of the sacrifices and services of those by whom treason was subdued. JOHNSON makes the same plea. Let him remember that history will make up the record between him and us, and whoever is the traitor let him rest assured the nation will neither forget nor forgive.

In the same plea for rebels he asks, "What better evidence can you have of loyalty and devotion to the government than professions?" Does he expect us to be satisfied with hollow promises when he himself stands as the betrayer of pledges and the violator of his professions? [Applause.]

Not the lives or property of traitors are demanded by Congress; only a few simple principles, the justice of which the whole world must acknowledge. The rebel war debt shall be ignored, our own rendered sacred, says the Philadelphia Convention, and JOHNSON says take for security their professions, while Congress insists that as in the past they have violated obligations and oaths, put it in the bond and have the covenant made secured.

Congress also proposes that a few of the most criminal, those who to treason added perjury in violation of an oath to support the Constitution of the United States, shall not again hold an office in that government they had sought to destroy.

While conceding the right of each State to regulate the elective franchise, it asks that rebellion shall not be rewarded by continuing the concession granted to slavery in counting as three-fifths human chattels, and now that the chains of the slave have been melted away, in the fiery heat of war,



that the basis of representation shall be changed to the altered condition of American civilization and freedom, that their power in the national legislature shall not be increased as a consequence of their defeat by adding the two-fifths in the count of the black man, thereby adding nearly twenty representatives. In this, and this alone, is the "treason" and "rebellion" of Congress and the loyal people. [Cheers.]

The right to demand conditions being conceded by JOHNSON and SEWARD, we only ask that the people and not the President shall determine the nature and number and mode of guaranty, whether by mere professions, which this generation or the next may wholly disregard, or by constitutional amendment, which will preserve them to us and generations hereafter.

The ultra men in Congress abandoned their radical notions in order to adopt a system which ought to provoke no opposition, for it adopted what JOHNSON had frequently declared to be the true policy, basing representation on voting population. Yet he denounces his own theory because advocated by Congress, and from wounded pride seeks to distract his own party, and have the nation again rent asunder.

Falsely and violently he upbraids Congress as determined to prevent indefinitely, representation from the lately rebellious States. When he knows from the bitter mortification of his own defeat in Tennessee that it has only said, "Adopt the basis proposed and accept your full political relations in the Union." And he struggled against BROWNLOW and MAYNARD, STOKES and FOWLER, and the true Union men to prevent a ratification of the proposed amendment, but they spurned him [great applause] and his advisers, and the loyal Legislature of the home of the President eagerly embraced the terms, and Congress, without hesitation, opened its doors, warmly greeted the representatives, and placed in her full Federal relations with the loyal States of the Union, the State of Tennessee. All can be admitted on the same terms. [Applause.] The remedy is simple, speedy and fully efficacious. The last compromise, we trust, with treason and sin, has been made. Had the first never been allowed the terrible war of rebellion would never have been waged; and standing in the midst of the mighty battles and griefs of the last four years and beneath the arches of the great victories which span a continent, this nation of freemen has sternly resolved that liberties gained shall be protected, and the peace secured must be enduring, that now when the thunder of God's wrath has just passed away, no grievous sin shall be committed which some time in the future as in the past, will provoke and call down the vengeance of Heaven.



Encouraged by JOHNSON's policy, rebel bonds advanced in price in the London market, and this day, English aristocrats, holders of rebel bonds, the *London Times*, their organ, eulogize JOHNSON as warmly as they did DAVIS and the Confederacy. The *London Times* takes heart when it says, "So let us wait. The people have not wholly triumphed in America yet; let us hang up the Reform Bill for a while. Who fears the people?" How humiliating that the only free republic on earth should strengthen the hands of the English aristocracy.

It would seem that he loves not liberty for liberty's sake, and that he abhors its universal spread as much as the color of the skin. Coming from the giant throes of this rebellion, the American people supposed his sympathies would be for the success of a people long oppressed, which once rejoiced in a national existence, conquered and kept in subjection for ages, with no promise or hope of deliverance save by their own right arm, and through a baptism of blood to secure again a recognition of Irish nationality. [Applause.] Yet he must act the character of ANDREW JOHNSON and play a double part. He flattered the Fenians by his smiles; by his apparent approval the warm feelings of the Irish heart were being roused into enthusiasm. When the British lion roared he sought instant cover, hastened GRANT and MEADE to the border, while with his own hand he made ample atonement to England, by stigmatizing Fenians as "evil-disposed persons."

In the darkest days of the Republic, when the first enlistment had nearly expired, the army, almost to a man, with uplifted hand, pledged themselves anew to the service of their country. Soon after, loyal men, at the ballot box, stayed up the hands of the great LINCOLN by voting the last man and the last dollar rather than compromise with rebellion.

And now, when Executive usurpation and intolerance are striving to seduce loyalty from its devotion, removing men from office unless they will betray principle, firmly they stand like the veteran guard in the field, hurl back the imputation and tell this demagogue President the offices he can control, but their principles never. [Tremendous applause.]

There is hope for the nation when the people are so securely anchored in the haven of truth that not even Presidents can sway them a hair's breadth from the line of duty. [Applause.] Never has the loyal heart been stirred so deeply and the resolution so fixed to work shoulder to shoulder to another, and we trust, final victory. The "long roll" is sounding. With tents struck and armor on, the great Union phalanx — true to the right as the steel to the star, the stream to the sea — stand ready to march to the discomfiture of the enemies of universal Liberty. [Great and prolonged applause.]

To undying devotion to the same faith for which so long we have struggled, is added the determination to wipe out in overwhelming victory the humiliation of JOHNSON's betrayal—to teach him that he cannot turn back the hands which point to advancing progress on the dial of human freedom.

BLAIR says the next war will be on Northern soil, and JOHNSON pictures the horror when brother's blood will again flow. Who is to inaugurate the second war? Will it be the minions of JOHNSON, in continuation of his brutal policy at New Orleans? For, following his train are all the leaders of rebellion, all the marauders and guerrillas of that army, some of the unpunished assassins of LINCOLN, all opposers of the draft and murderers of provost marshals, the rioters of Memphis and New Orleans. While to-day the Union party believes, as in the past, the ballot-box to be the great arbiter in republics, and among its numbers cannot be found one man who went not forth with a musket to the field or invoked the Almighty for deliverance, not one who struck a blow or breathed a wish against his country. [Cheering.] We send greetings this day to the gallant State of Vermont, and unite in congratulations with the loyal men of the nation, that the flag, the Union and the Constitution are safe in the hands of her sons, as they have rebuked the swaggering pretender and his detested policy by an increased majority. As it rolls around the world the echo of the shouts of her victory will everywhere gladden and nerve the hearts of patriots.

We stretch forth our hands and greet the Union men now in convention at Philadelphia. [Applause.] Persecuted though they be and sorely stricken, we renew our allegiance to them because of their fealty and devotion to the flag and the Union. The brightness of their patriotism, tried in the furnace seven times heated, binds us with no common tie. We feel that their people is our people and their God our God. [Applause.] We tell JOHNSON to hurl bitter denunciations and withdraw the light of his countenance in the shape of office; we prefer to dwell with this people than enjoy the pleasures of sin for a season. [Applause and laughter.] We tell him, too, that should a bloody hand again arise to tear down and trample our banner in the dust, we would say of it then as we did in the past:

'Tis the flag of America, it floats o'er the brave,  
'Tis the fairest unfurled on the land or the wave;  
But though brightest in story and matchless in fight,  
'Tis the herald of mercy as well as of might.  
In the cause of the wrong may it e'er be first,  
Where tyrants are humbled and fetters are burst;  
Be justice the war shout, and dastard is he  
Who would scruple to die 'neath the flag of the free.

At the close of the Chairman's address, three cheers were given for General Van Wyck, and three more for the State of Vermont.

Mr. Sinclair Tousey, of New York, was appointed temporary Secretary.

The list of counties was called, and the list of delegates was corrected and completed.

## THE COMMITTEES.

Hon. James A. Bell, of Jefferson, moved the appointment of a committee of two from each Judicial District, on permanent organization, the committee to be instructed to report the name of the Hon. Lyman Tremain, of Albany, for permanent Chairman. Carried.

Mr. W. Hutchins, of New York, moved that the chair appoint a committee of two from each Judicial District, to report an address and resolutions.

Mr. A. B. James, of St. Lawrence, moved an amendment that the committee consist of one from each Congressional District, to be selected by the delegates from such districts.

Mr. G. W. Curtis suggested that the selection of this committee belonged to the permanent organization.

Mr. Horace Greeley opposed delay in the selection of the committee, as the work to be done was arduous and needed time and care.

The mover of the original resolution accepted the amendment, and the motion, as amended, was carried.

Mr. H. R. Low, of Sullivan, moved that the State Central Committee consist of one member from each Congressional District, to be selected by the delegations from the respective Districts, and of two members at large, to be named by the Chairman. This proposition was carried.

The Chairman announced the Committee on Permanent Organization as follows:

*First District*—Andrew Bleakley, Nathan Kingsley.

*Second District*—John Thompson, H. D. Robertson.

*Third District*—Charles L. Beale, J. H. Ramsey.

*Fourth District*—D. V. Berry, J. J. Seaver.

*Fifth District*—James A. Bell, Charles Andrews.

*Sixth District*—William Beardslee, E. L. B. Curtis.

*Seventh District*—Z. H. Blake, J. B. Murray.

*Eighth District*—A. Lockhart, J. M. Schermerhorn.

At two o'clock the Convention took a recess till four o'clock.

## COMMITTEE ON RESOLUTIONS.

On the reassembling of the Convention, the Congressional District Delegations reported the following for members of the Committee on Resolutions: George Wm. Curtis, Charles P. Shaw, W. W. Goodrich, Joshua G. Abbe, Charles S. Strong, Sinclair Tousey, Waldo Hutchins, John H. White, William Richardson, Horace Greeley, H. R. Low, Charles L. Beale, Rufus H. King, George Dawson, M. I. Townsend, N. B. LaBan, A. B. James, William A. Sackett, James H. Graham, J. B. Van Patten, Alexander H. Bailey, D. G. Wellington, Hiram Crandall, William Clark, E. G. Lapham, G. W. Hotchkiss, G. W. Pratt, F. Davis, Charles Cravens, C. F. Wadsworth, W. L. Sessions.

## STATE CENTRAL COMMITTEE.

The Congressional District Delegations reported the members of the State Central Committee, as follows:

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| 1. W. H. Gleason.    | 17. E. A. Merritt.      |
| 2. C. W. Godard.     | 18. John McDonnell.     |
| 3. H. N. Holt.       | 19. Fred. Juliaud.      |
| 4. Andrew Bleakley.  | 20. James A. Bell.      |
| 5. W. H. McKinney.   | 21. Chas. H. Hopkins.   |
| 6. Isaac Dayton.     | 22. L. H. Conklin.      |
| 7. M. B. Brown.      | 23. Frank Hiscock.      |
| 8. Waldo Hutchins.   | 24. S. G. Hadley.       |
| 9. A. J. Williamson. | 25. Isaac L. Endress.   |
| 10. H. D. Robertson. | 26. A. B. Cornell.      |
| 11. E. Farrington.   | 27. C. G. Fairman.      |
| 12. J. H. Ketchum.   | 28. Albert H. King.     |
| 13. John Lyon.       | 29. Wm. H. Merrill.     |
| 14. Ham. Harris.     | 30. I. M. Schermerhorn. |
| 15. J. F. Winslow.   | 31. Geo. W. Palmer.     |
| 16. Andrew Williams. |                         |

The President announced Charles S. Spencer, of New York, and Ben. Field, of Albion, as members at large of the State Committee.

Judge Emott, of Dutchess, paid a handsome compliment to Mr. James Terwilliger, of Syracuse, for his valuable services on the State Committee in the past, and moved that he be placed on the Committee as a member at large. The motion was carried unanimously.

## MEMBER OF THE NATIONAL COMMITTEE.

The Chairman read a telegram from the Secretary of the National Union Committee asking the State Committee to fill the vacancy in that Committee caused by the expulsion of Henry J. Raymond, and stated that the vacancy had been filled by the selection of Horace Greeley. This announcement was greeted with great applause, and by a vote of the Convention the action was approved.

## WORDS OF GOOD CHEER.

The Chairman read a telegram from the New York delegation in attendance upon the Convention of Southern Loyalists at Philadelphia, conveying words of good cheer to the cause in which both Conventions are engaged.

## THE PERMANENT ORGANIZATION.

Mr. Bell, from the Committee on Permanent Organization, reported as follows, and the report was unanimously adopted:

*President* — The Hon. LYMAN TREMAIN, of Albany.

*Vice Presidents* — Alfred Wagstaff, of Suffolk; C. W. Godard and A. F. Campbell, of Kings; O. W. Brennan, Henry G. Leask, Isaac Dayton, W. R. Stewart, A. J. Williamson, and W. H. McKinney of New York; J. W. Ferdon, of Rockland; E. M. Madden, of Orange; A. W. Palmer, of Dutchess; Thaddens Hait, of Ulster; John H. Gardner, of Schoharie; R. M. Hasbrouck, of Rensselaer; O. K. Wood, of Clinton; Calvin T. Hulburt, of St. Lawrence; Joseph Covell, of Fulton; Henry Dowie, of Delaware; S. R. Millington, of Herkimer; W. D. Walcott, of Oneida; D. C. Littlejohn, of Oswego; James M. Munro, of Onondaga; S. K. Williams, of Wayne; Charles J. Folger, of Ontario; J. W. Dwight, of Tompkins; S. T. Hayt, of Steuben; N. P. Pond, of Monroe; W. J. Humphrey, of Wyoming; Seth Fenner, of Erie; H. Van Aernam, of Cattaraugus.

*Secretaries* — William Haw, Jr., of New York; G. H. Scribner, of Westchester; G. Y. Johnson, of Albany; J. Hammond, of Essex; A. Y. Stewart, of Lewis; Luther Caldwell, of Chemung; C. W. Wadsworth, of Livingston; Geo. W. Tew, of Chautauqua.

The Chair named the Hon. Charles J. Folger and the Hon. James Emott to conduct the President to the chair. Mr. Tremain was received with immense applause.

## SPEECH OF HON. LYMAN TREMAIN.

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FELLOW TRAITORS "at the other end of the line:" We have assembled to perform grave and responsible yet important and necessary political duties. We meet to-day for the double purpose of establishing and declaring a platform of principles adapted to the existing condition of national affairs, and to nominate a ticket of State officers to be supported and elected by the people of this State. If, as members of the Union party, we have heretofore flattered ourselves with the hope and expectation that when the rebellion should be crushed out by the armies of the Union our labors would cease, and our noble cause and principles would become permanently and successfully established, recent events have satisfied us that our anticipations are far from being realized. The grand truths and doctrines for which we have contended through years of terrible and bloody war still remain, partially at least, unsettled and liable to be overthrown, unless they can be finally incorporated into the governmental policy of the nation. The great conflict between democracy and aristocracy, between the spirit of freedom and the spirit of slavery, still rages in a new form. It remains yet to be determined whether the enemy, who has been overborne in the military struggle, shall still win the victory by his indomitable will, his adroitness in political management, and his superior skill in the science of diplomacy and statesmanship. It is true that the contest has been transferred from the field of battle to the ballot-box and the Senate Chamber. But the great issue involving the absolute supremacy of the Federal Government in all matters necessary to preserve, protect and perpetuate the national integrity; the legitimate authority of a nation victorious in the struggle with traitors in arms; the destruction of all the vestiges and incidents of slavery in our Constitution, our usages and laws; the procurement of adequate security for the future peace, happiness and welfare of the American people; the establishment of the great doctrines of republican equality and human rights—in short the harvesting in of those fruits which have resulted from the victories achieved by immense sacrifices of treasure and life, these yet remain to be finally determined by the verdict of the people. Nor should we murmur at the unexpected labors and responsibilities which are thrown upon us. Every advance made by civilization and republicanism costs something, and is attended with labor and toil. Stagnation breeds pestilence, disease and death. Sloth and inactivity are always dangerous in a republic. The present is not the time to suffer the rust to gather on our armor, or allow the forces of freedom to disband or become demoralized. Our enemies assert that the Union party has already forfeited its claim to the confidence and support of the people; that it has become sectional and narrow-minded; that it has failed to appreciate the necessities and condition of the country; that it is guilty of usurpation by withholding from the people of the insurgent States their Constitutional rights; that its Representatives in Congress are a body of intolerant fanatics who have been engaged in interposing factious obstacles in the way of restoring the Union—and as a remedy for these evils we are told there must be a new political organization, with a new name, new banners and new leaders, under whose auspices the nation can march into the promised land,

and enter upon the full enjoyment of millennial glories. Are these charges against the Union party just and true? If they are, let it be abandoned to its fate. Endearred as that party has become to every true patriot by its trials and sacrifices, and by the triumph and glories of the war; yet if it has become corrupt and false to its promises, let it share the fate of its predecessors, the whig and democratic parties. If, on the other hand, these accusations are slanderous and false, let us adhere to it in the future as we have done in the past, until complete success shall crown its efforts. Although the Union party is young in years, it is already old in the record of its great achievements and glorious victories. It is to-day the most glorious and powerful political organization that has ever existed in this country. Its deeds are already historic, and it can proudly point to the honored list of contests through which has passed, and of civil, political and military victories it has achieved. In the name and on behalf of the patriotic Unionists of the country, speaking for those who have been welded together by the fiery trials and sacrifices to which they were exposed during the days of darkness and danger through which they have triumphantly passed, as the humble organ of those whom I see before me, of the constituents you represent, and of your faithful political associates throughout the loyal States, I repel and deny with indignant scorn and contempt the base accusation that the Union party has in any respect proved false to the purposes of its creation, or become recreant to its exalted professions and principles. Neither the tongue of the slanderer, nor the pen of the libeller, shall be permitted to rob us of the share which we own in the hallowed memories, the precious associations and the unfading glories of the past five years, or to deprive the Union party of the right which it has fairly earned to dictate the terms of an honorable and lasting restoration and peace. Let others seek new associations if they will; let the defeated rebels meet in solemn conclave with their sympathizing aiders and abettors; let weak kneed Unionists, who fail to appreciate the perils that environ the country, or who are influenced by motives that will not stand the test of scrutiny, unite with them in schemes to overthrow and punish the Union party for its stern and unyielding fidelity to the cause of good government—let them all wrangle to see who shall be the leaders of the new party and occupy front seats in the new wigwag—let them quarrel about the paternity of the ill-gotten bantling which had its birth recently in Philadelphia, we will still cling to that organization which we consider good enough for us. It is only, I affirm and maintain, in and by and through the instrumentality and coöperation of the Union party that an abiding peace and permanent restoration of the Union can be effected, or indeed any peace secured that shall not be the commencement of unending agitation and strife. I am constrained to admit, more in sorrow than in anger, that some men high in office, on whom the Union party has conferred its choicest honors, have refused to obey the will of their constituents or to aid in the execution of the scheme devised by the representatives of the party for the restoration of the Union. Nay, more. They have used the power and influence with which they have been clothed to prevent the success of that scheme and to build up a rival party which shall subvert the power which elevated them. But while these idols may have fallen from their pedestals, their defection is not the fault of the party. The labors of the party may be increased, and the day of its final triumph indefinitely postponed, but, conscious



of its own integrity and confident of its strength, it declines to lower its standard or alter its political creed. Its organization remains intact, its numbers are undiminished, its courage is unshaken, and with bold defiance it confronts its enemies, old and new. It is already marshaling its hosts for the coming conflict, with banners streaming in the breeze, and bayonets glittering in the sunlight; it is preparing to move forward with sure and steady step to inevitable and certain triumph.

An inquiry into what the Union party has accomplished, and what it proposes still to do, with an examination of the political situation, can scarcely fail to convince the intelligent patriot that it is his duty to sustain that party in the present conflict. It was but yesterday that we learned with horror that rebel hands were clutching at the nation's throat, and that traitors were aiming their murderous blows at the nation's heart. Then the country sent out a cry for help which was responded to by its patriotic sons with an alacrity and a power which commanded the admiration of the world, and will ever constitute a glorious epoch in our history. One result of this response was the organization of the Union party, composed of men from all the political parties, and embracing a very large proportion of the patriotic, intelligent and religious elements of the people. That party has nobly sustained the government during the bloody contest, while those who are now bent upon its overthrow were denouncing the war as a failure and assailing the war measures of the government as arbitrary and unconstitutional. The Union party unwaveringly sustained every act of the public authorities deemed necessary to overcome the rebellion. At last came its hour of triumph. After four years of terrible and sanguinary strife the Union cause was triumphant, the confederacy was ground to powder by the conquering armies of the Union. The confederate armies surrendered, not in obedience to the pathetic appeals and proclamations of the President, but from sheer exhaustion and absolute inability longer to continue the contest. Indeed, they continued the struggle at a tremendous sacrifice of life and treasure, long after their military leaders had thrown up the sponge, and announced the contest hopeless. But, oh, how costly was our triumph; the loss of over five hundred thousand valuable lives, the destruction of \$6,000,000,000 of property, and the entailment of a debt of one-half that sum, attest the bloody character and gigantic proportions of the war. Let these startling facts, and the doubtful result, which for a long period seemed to hang over the struggle, be ever borne in mind when, as citizens or as patriots, we are asked to act as if the war was only a myth, instead of being a sad and terrible reality.

When the armies of LEE and JOHNSTON were taken prisoners, the practical question which immediately presented itself was, what is the present political status, and what are the rights under our constitution of the people in the eleven insurgent States. They have been engaged in a treasonable conspiracy to destroy the government, but are now lying powerless at the feet of the conquering and victorious armies of the Union. Now what are their true relations to the loyal portion of the people? The solution of this problem required the best talent and the combined wisdom of the nation; but the President, as I think, unfortunately, proceeded to act on his own responsibility, without convening Congress in special session. He found the insurgent States without any organized government, and he proceeded to establish temporary governments. He appointed provisional Gov-

ernors, authorized conventions for the establishment of State constitutions and governments, prescribed the persons who should vote and the conditions under which the elective franchise should be enjoyed. In all these acts he does not seem to have supposed that anything he could do would supersede the ultimate action of Congress, for the Secretary of State, speaking in his name to the Provisional Governor of Florida in a communication bearing date September 12, 1865, said, "It must, however, be distinctly understood that the restoration to which your proclamation refers will be subject to the decision of Congress."

President LINCOLN recognized the power of Congress over the subject of representation, for, in his last public speech, speaking of his action in Louisiana, he says, "I distinctly protested against any claim of right on the part of the Executive to determine when or whether members of Congress should be admitted to their seats from those States." Nor does President JOHNSON seem to have understood that with the actual cessation of hostilities did the rebels become clothed with all their accustomed powers and privileges. He proceeded with more or less positiveness to require conditions at their hands, such as the prohibition of slavery, the annulling or rescinding of their secession ordinances, or the repudiation of the Confederate debt, and it seems quite clear, that at this time the baffled rebels were willing to accept any conditions which would preserve their property, their liberty and their lives, all of which they knew they had legally and justly forfeited to the offended laws of the country. They proceeded with alacrity to comply with the President's wishes, and adopted his suggestions so far as that may be accomplished by mere State laws or constitutions liable at any time to be amended and repealed, and so far as the action of the State conventions, acting under significant hints from the Commander-in-Chief, with his armies present in the State, may be binding on the people in future when such action was not submitted to them for their approval. Already we discover the outcropping of a disposition among the people in these States to repudiate these ANDREW JOHNSON constitutions, and if the pledges which they contain shall not become incorporated into the Constitution of the United States, and the insurgent States shall once obtain the increased power in the federal government which they demand, in such case we may anticipate that these military State governments will be wiped out, and other constitutions adopted more in accordance with the real sentiment of reconstructed rebels. Thus matters stood when Congress assembled last December. That body found itself confronted with the question whether these insurgent States were entitled to be represented in the same manner as if there had been no war. Senators and Representatives appeared from all these States demanding their seats, and it was a matter of public notoriety that, except a few from Tennessee and Arkansas, every one of these gentlemen had been open and shameless traitors, and had been elected by their constituents and appeared in Washington in defiance of the law passed during the war, that, before taking their seats, they should take an oath that they had not voluntarily participated in the rebellion. This brings me to the vital and overshadowing issue that claims the attention of this Convention and must be submitted to the people at the next election. We were for a long time unwilling to believe that a President who had been elected by the Union party would be found arrayed against that party, and acting with its enemies on the

question of reconstruction. But we must accept the facts as they really are, and we find that the pending issue is that which exists between the President and Congress. That is the issue of the hour; that is the issue upon which this Convention must express its voice to-day. Of course I treat the Democratic party as having no distinct and independent policy of its own; for this once proud party now performs only the ignoble office of dangling as a tail to the President's kite. I will state the issue to you, gentlemen, fairly and squarely, as I understand it.

The President claims that every State is entitled to representation in Congress by the provisions of the Constitution; that no power is conferred upon Congress in express terms to deprive such State of representation, and, therefore, none exists. He concedes, however, by a singular inconsistency, that Congress may refuse to admit a disloyal representative, although no such power is conferred in express terms. Later revelations, however, indicate that he now regards all persons as loyal who are willing to take the constitutional oath, without regard to their past lives or disloyal conduct. He therefore denies the power of Congress to exclude the senators and representatives from the States lately in rebellion, by reason of the misconduct of their constituents, or until guarantees for the future can be procured. On the other hand, Congress claims that in a civil war all legal and constitutional rights and privileges of the insurgents are suspended, and in case the rebellion fails, that these privileges are only to be restored by the legislative power of the victorious party; that traitors forfeit their civil and political rights, among which is their right to representation; and that Congress, representing the people, has a right to provide by law for the resumption of suspended rights on such terms and conditions, as in their judgment will secure the future peace and welfare of the nation. By a joint resolution, Congress has declared that no representative from a rebel State shall be admitted till such State be declared in a condition entitling it to representation. Congress has accordingly presented its plan for the restoration of the insurgent people in the form of a proposed constitutional amendment, to which I shall hereafter allude. This is the issue forced upon the people. They cannot avoid it. It is the duty of every elector to form an opinion upon it and to regulate his conduct accordingly. As an humble individual, having carefully and conscientiously considered this question, I do not hesitate to say that my own judgment is clear and decided, that Congress is clearly right and the President just as clearly wrong. The highest judicial tribunal of the country has solemnly adjudged that in its conduct towards the rebels, the government of the United States possessed all the rights which belong by international law to any belligerent power, as well as the additional rights which pertain to a sovereign dealing with rebellious subjects. It is an elementary principle of the law of nations that in a great civil war all these civil and political rights which are secured to the insurgents in a state of peace, by the laws of the parent State are suspended. It is also another principle of the same law that when one nation conquers another in war, the conquered nation can only resume peaceable relations with the other, when that other consents to a treaty of peace, containing such stipulations for the future as may comport with its own dignity and welfare. If it chooses to require security for the future, or even indemnity for the past, it possesses full power to demand either or both. Every instinct of self-preservation revolts at

the proposition that during war traitors are entitled to representation in the parent government. Nor is our government so powerless and contemptible, that when it is victorious over traitors it may not exercise those powers which in establishing the conditions of peace, belong to every other civilized nation on the globe. The Constitution was not made in the interest of treason, nor does it deny to the government the power to protect itself against traitors. Instead of fearing, I admire that kind of centralization which consolidates the government against the power of traitors. I hate and trample under my feet that State sovereignty which would make a community of traitors superior to the central government. Nor, as I read the Constitution, does the President enact laws for Congress to execute; but Congress makes laws which the President is bound to see executed.

An incessant clamor has been kept up throughout the country against what is called the unconstitutional action of Congress in excluding the representatives from the southern States. This tender regard for the Constitution is a familiar acquaintance under a new garb. During the war every vigorous and energetic measure, either of the President or Congress, which was intended to crush the rebellion, was denounced as unconstitutional. This was the case with the conscription law to raise men and the legal tender law to make money, with the arrest of disloyal persons for aiding the rebellion, with the employment of negro troops, with the emancipation proclamation and other kindred measures. But now these charges, which, then as now, proceeded from rebel sympathizers, only excite as they are remembered, a smile of derision and contempt. These measures were sustained; they were approved by courts, by Congress, by the Union party, and finally by the judgment of the supreme tribunal—the people of the country—in the election of 1864. If the theory, that defeated traitors cannot possibly forfeit their political rights, is confirmed, it offers a premium for the crime of treason, and may result in the destruction of the government. In such case the traitors' rule would be "Heads up I win, tails up you lose. If the Constitution gave greater sanction to this doctrine than it really does, I would then prefer to break the Constitution and save the country, than to save the Constitution and destroy the country. The Constitution was made for the country and not the country for the Constitution. If the country is lost all is lost; while if the Constitution is broken and the country is saved, we can make another one equally as good as the old one, with all modern improvements included. Connected intimately with the question to which I have referred stands the proposed amendment to the Constitution. The Congressional Committee, consisting of fifteen prominent members, nine from the House and six from the Senate, after long and careful deliberation, after taking a volume of testimony relating to the condition of affairs in the insurgent States, and after several schemes had been considered and abandoned, or rejected, has presented a plan of reconstruction consisting of this proposed amendment, accompanied with the recommendation that when it shall be adopted the States assenting to it shall be entitled to representation in the person of Senators and Representatives duly elected and properly qualified. This scheme received the assent of more than two-thirds of the Senate and four-fifths of the House. It now comes down to the people for their sanction, and it constitutes one of the vital issues of the pending campaign. It is a conservative feature of the Constitution that it

provides for its own amendment whenever events or changes occur which render it necessary to conform the framework of the government to the existing state of things. That such an exigency has occurred seems too apparent to require extended discussion. This change is called Article 14 of the Amendments to the Constitution, and consists of five sections, which are as follows:

1st. The first defines citizenship of the United States, and prohibits any State from denying to any person its privileges without legal process.

2d. The second creates a basis of representation founded upon population, except that persons who are denied the privileges of the elective franchise by the States are excluded from enumeration.

3d. The third renders ineligible to office certain persons who having held public offices and taken an oath to support the Constitution of the United States, became actors in the rebellion, but provides that Congress may, by a two-thirds vote, remove the disability.

4th. The fourth affirms the validity of the public debt of the United States, incurred in suppressing the rebellion, and declares the Confederate debt illegal and void.

5th. The fifth confers power on Congress to enforce the amendment by appropriate legislation.

The first section is necessary to secure to the millions of newly created freedmen the rights of citizenship. In the *DRED SCOTT* case, the Supreme Court of the United States decided that the descendant of African parents, whose ancestors had been bought and sold as slaves, was not a citizen of the United States, and could not, therefore, although not himself a slave, maintain an action in the courts of the United States for the enforcement of his rights or the redress of his wrongs. On a plea in abatement setting up this disqualification in *DRED SCOTT*, it was adjudged that he could not maintain his action for assault and battery on himself or upon his wife or children. It was further decided, that it was not within the power of any State to make any person by its constitution and laws a citizen of the United States. It was also declared that the power of naturalization conferred upon Congress applied only to persons of foreign birth, and gave to Congress no authority to make native born persons of African descent citizens of the United States. Free colored persons have always been citizens of our State by the laws of New York. In our first State constitution, adopted in 1777, they were placed upon an entire equality with white men in the exercise of even elective franchise. Under the present constitution they are called "citizens." Can any good reason be assigned why such persons should not be citizens of the United States, if born upon our soil and within our jurisdiction? The colored population have been our best friends during the war. We have availed ourselves of their services by the employment of two hundred thousand troops in our army. They are loyal and faithful to the Union. We owe them a heavy debt of gratitude, which we are bound in honor and good faith to discharge.

The Civil Rights Bill has been assailed by the President, and by *REVERDY JOHNSON* and other leading statesmen, as unconstitutional, and several Southern judges have already so decided. What may be the decision of the highest tribunal, can only be known hereafter. If the law be upheld, it is at all times liable to repeal, and there is no assurance it will not be repealed when the eleven States are represented. It seems, therefore, to be demanded by every consideration

of justice and wise statesmanship that these persons should be secured in the rights and privileges of citizenship, the right to sue, to make contracts, to hold and transmit property and to be witnesses, by an amendment of the constitution. The second section seeks to wipe out from the constitution the last remaining recognition of African slavery as an existing institution. We have already, by abolishing slavery, nullified the provision for the return of fugitive slaves, and the only vestige of slavery remaining in that instrument is the anomalous feature by which slaves, under the phrase "other persons," are treated as three-fifths persons and two-fifths chattels. Our fathers approximated as nearly as they could to the standard of equality and liberty proclaimed in the Declaration of Independence. They, however, recognized slavery as a fact, while they studiously excluded the word from the Constitution. They provided for the abolition of the slave trade, and confidently hoped and expected that, under the action of natural causes, slavery would become extinct. Could they have anticipated the subsequent growth and dangerous character of that institution, they would undoubtedly have provided for its early extinction. They erred, and most grievously have we of this generation suffered the penalty for their compromising with wrong. Now, however, by the aid of Almighty God, and with the votes of a free people, we hope to eradicate the last footprints of the accursed harpy, slavery, and to present to the world a free Constitution, wholly in harmony with the sublime declaration that "all men are created equal" and "endowed with certain inalienable rights, among which are life, liberty, and the pursuit of happiness." This section also aims to accomplish another result that is necessary and desirable under the present Constitution. The abolition of slavery will operate to increase the power of the rebel States in the House of Representatives and in the Electoral College to the extent of representation upon two-fifths of the emancipated slaves. This increase in the number of members of Congress and of electoral votes is variously estimated at from 15 to 25, depending upon the number of the freed population, a fact only capable of being definitely ascertained by the new census. This large accession of power would be a rich reward for treason, and would, of course, be a singular mode of punishing traitors and making treason odious. Such a state of things would prove a constant thorn in the flesh of the loyal North. Any peace which continues the injustice would be hollow and unholy and transient in its duration. The amendment will correct this inequality; at the same time it will restore the old basis whenever the rebel States shall allow these freedmen to vote. If they refuse to treat them as part of the people who elect their rulers, then they shall not be treated as part of the people to increase the representatives of the white and dominant race. This rule of exclusion in such case is entirely uniform, and applies to the loyal as well as to the disloyal States. The Baltimore Convention, by a unanimous vote, resolved that slavery should be totally destroyed throughout the United States. To that pledge the Union party stands committed, and upon it ANDREW JOHNSON became President of the United States. The disqualification as to citizenship which attaches to the freedmen, results from the taint of slavery. This three-fifth provision of the Constitution is a relic of the same barbarous institution. Is the pledge of the Baltimore Convention redeemed while these badges, incidents, and appurtenances of slavery still exist? O, Andrew Johnson! Andrew Johnson! We remember yet the burning words

of eloquence with which you accepted the nomination and approved the platform of the Baltimore Convention. We are confounded by the intelligence that you intend to exert your political patronage, influence and power to prevent the adoption of this most salutary amendment. Remembering you as you were, and grieved to find you as you are, we would imitate the example of Noah's sons, and, casting our mantles over you, would retire in sadness and sorrow from your presence.

It is proposed by the third section to disqualify DAVIS and BRECKINRIDGE, BENJAMIN and MASON and others like them, who, having sworn to support the Constitution, afterwards became guilty of treason against the United States; and yet power is given to Congress, in case their future good conduct shall warrant it, to remove even this disqualification. Surely there is no milder form in which can be embodied the patriotic sentiment that treason is odious and traitors should be punished. Punishments for crime are not inflicted by government from a feeling of vengeance, but to preserve the public peace and safety, and prevent the commission of future crime. There should be some permanent record destined to continue while the Union exists, evincing the judgment of the nation against the crime of treason. It is necessary that there should be some enduring monument to warn those who come after us of the wickedness and crime of secession and treason. Adopt this amendment, and then the nation will have decreed that the grave of the patriotic and faithful Union soldier is more deserving of honor than the grave of the disloyal rebel traitor. While the fourth section is universally commended as just, the only ground of objection urged against it is, that it is unnecessary. Let the Southern representatives come in with their increased numbers, and filled with the hostility which they constantly manifest, and unite with their Northern sympathisers, and who shall say it is unnecessary? Let Congress refuse to make the annual appropriations, and the work of repudiation is already accomplished. Let the question remain open, with the thousands of millions of floating Confederate debt in the hands of foreign capitalists, Southern rebels and Northern speculators, and the temptation to nationalize this debt would be worthy of the most formidable combinations. The objection that a guaranty is unnecessary seems contemptible in comparison with the importance of placing the matter where it can never be questioned or agitated. The remaining section is simply intended to give effect to the others.

This then, gentlemen, is the restoration plan presented by Congress. This is all that the representatives of a loyal people require as a condition of peace. Never were terms so liberal, presented to defeated traitors by a victorious people. Against this scheme the President, the Philadelphia Convention, the rebels and the Democratic party present only this proposition, that the rebel States shall be immediately represented, without condition or qualification. They propose no compromise and will accept no terms. They demand the increased representation which has resulted from the abolition of slavery. They refuse to relieve the freedmen from the terrible evils of their anomalous condition, and are willing to leave them to the mercy of their late masters and in a state worse than slavery. They rally to the relief of the Confederate leaders, and insist that no political punishment be inflicted upon them, and finally, they spurn the proposition that by an irrevocable ordinance the Confederate debt shall be condemned or the Union debt confirmed. Such, gentlemen, are the



important issues presented to us, and they ought to be accepted by the Union party without hesitation or doubt. Congress has, I think, performed its duty faithfully to the country on these issues, and earned the gratitude of the people, and it only remains for the people to perform their duty with equal fidelity to their own interests. But suppose the Congressional plan should not be adopted, what then? If, through the obstinacy or perversity of the rebel States, these most generous terms are rejected, and no other substitute satisfactory to the loyal people should be accepted, why we shall be obliged to conduct the Government without the valuable aid of Southern representatives. As we have been able to get along for four years of war without their help and against the South arrayed in arms, we are not without hope we may manage it in time of peace until their returning reason resumes her throne. We are admonished by every Southern gale that we cannot with honor or safety relinquish our hold on the helm or withdraw our protection and support from the Unionists in the South. The attitude of submission which succeeded the triumphs of our arms seems to have been superseded by arrogant insolence and defiant hostility. They have elected everywhere red-handed and unrepentant traitors, who have appeared at Washington and demanded their seats in Congress, claiming the right to make laws for the Government of loyal people. From ALEXANDER H. STEPHENS down, the rebels still insist that the cause of secession was constitutional and righteous, and glory in the heroic efforts made to establish that atrocious and pestilent heresy. Such is the feeling exhibited that we are assured as soon as our troops are withdrawn there will be no safety for the property, liberty and lives of Unionists, white or black. The Commander-in-Chief of the Confederate forces is nominated in the legislature, amid cheers and applause, for Governor of Virginia. SEMMES, the Confederate pirate, is unanimously elected Judge of the Probate Court in Alabama. National airs are hissed and hooted at in Southern theatres. Honors without stint are showered upon the Confederate dead, while humble Unionists are not allowed to strew a few flowers upon the graves of her noble Union soldiers. The terrible rebel riots and the horrible massacre of Unionists at Memphis and New Orleans, warn us in thunder tones that eternal infamy will rest on us if we fail to stand by the Union men of the South, and to fight this battle through to the bitter end.

Gentlemen, I repeat it, the issue is upon us, and we must meet it like men. He must be both blind and deaf to the lessons of the war, and must have failed to place his hand where he could feel the deep throbbings of the popular heart, who can doubt the result of this conflict. The Union party presents to-day a sublime spectacle. Undismayed by defection, and unseduced by patronage, it has already taken the field, and stands ready to continue in service, until the fruits of our victories are secured, and the whole matter placed upon a satisfactory footing. Already I hear the verdict of the people ringing through the ballot box from Maine to California, declaring that loyal men, and loyal men only, shall govern this country, now, henceforth and forever. One word more. We smile with ineffable scorn and contempt when we hear the insidious threat that, if the Southern States are not admitted before the next Presidential election, they will cast their electoral votes for President and Vice-President, and if they can obtain a sufficient number of Northern States to give them the majority, they will declare their candidates elected, and with the

aid of President JOHNSON, they will take possession of the government, and thus we shall have another rebellion and civil war. There are several difficulties in the way of this nice little scheme. If the South reject the offers of the Union party, I assume that the Congress of 1868 will, like the Congress of 1864, pass a law declaring that the insurgent States shall not cast their electoral votes, nor will such votes be counted, and in such cases they will not be counted. I assume further, that while this law remains in force, it will be executed, and that if the Southern States should attempt to vote in defiance of it that the President, who will be bound to execute the law, will arrest such an illegal and revolutionary proceeding. From the President's alacrity to denounce the Louisiana Convention as an illegal assembly, although it was not held in violation of any law, I cannot doubt that he will prevent any election or meeting of the Presidential electors which shall be prohibited by act of Congress. If, contrary to my assumption, President JOHNSON shall refuse to perform his plain duty, I assume further that other constitutional means will be employed to execute the laws.

Again, I assume that any attempt by the South to trample such a law under foot, would unite the North and that the South, standing alone, would not obtain that majority, which would be wanted as a pretext for taking possession of the government, and in either of these cases the scheme would fail; and as to a second rebellion, why if these gentlemen are not satisfied with their experience in the first, let them try the second. Yes, let them try it. At the first tap of the drum an army composed of veteran troops, capable of overcoming all opposition, would come to the rescue, and, adopting the President's opinion that traitors must be punished, the soldiers would proceed to punish them; and I assume further, that this time it would be effectually done; done without the intervention of President or Congress, court, jury or military commission. We tender these people the olive branch, but if they will have it so, they can have the sword. One thing is certain, the vanquished must not dictate terms to the victors, even with the support of the "bread and butter" brigade. Let this Convention proceed in the performance of its high duties with firm reliance on the justice of our cause, on the stout hearts and strong arms of the Union party, and on the continued favor of Him who has hitherto helped and saved our nation. Let a ticket be nominated that shall be in full accord with the predominant sentiments of the party. Let a platform be presented that shall not be watered with a mixture of sympathy with treason, under the sugar-coated talk of "conservatism." When its work is done, let it be unreservedly committed to the judgment and support of the people. New York, depend upon it, will not in this great crisis prove recreant to her proud position and her ancient renown. Her people will roll up a majority for your ticket that will be heeded at the White House, and will exert a powerful influence in restoring throughout rebeldom that better state of feeling which succeeded the downfall of Richmond, and which existed when the armies of the confederacy lay prostrate and powerless at the feet of GRANT, SHERIDAN, SHERMAN, and the victorious armies of the Union.

## GOVERNOR.

Mr. A. B. Cornell, of Tompkins, moved that his Excellency, the Hon. Reuben E. Fenton, be renominated for Governor by acclamation. [Loud applause.]

On the suggestion of Mr. Dayton, of New York, the delegation rose to their feet, when the vote was taken on this proposition.

The President said: "You who are in favor of renominating Reuben E. Fenton for Governor of the State of New York, will say aye." The whole body of delegates rose as one man, and the response was an unanimous aye. This result was greeted with three times three hearty cheers, amid the swinging of hats and handkerchiefs, the great crowd of spectators on the floor and in the galleries joining in the tremendous cheering.

The President put the negative, but there was no response.

He then said: "The Convention has made unanimous choice of Reuben E. Fenton as its candidate for reelection as Governor of the State."

Three rousing cheers were given for Tompkins county, the home of Senator Cornell, who was a candidate for this nomination, and whose son moved Governor Fenton's renomination.

## LIEUTENANT-GOVERNOR.

Mr. Horace Greeley moved to proceed to the nomination of a candidate for Lieutenant-Governor. Carried.

Mr. Greeley, on behalf of some of the delegations from his part of the State, presented the name of Gen. Stewart L. Woodford for this nomination. He would give places on the ticket to deserving soldiers, in recognition of their services and sacrifices. He deemed this a wise and judicious course. It last year contributed to our success, and proved a good precedent which was now worth following. He would not detract from the merits or claims of other candidates, but still would advise that two soldiers be put on the ticket.

Mr. Charles Andrews, of Onondaga, on behalf of the delegation from that county, presented for renomination the name of the Hon. Thomas G. Alvord. He believed that after the renomination of Governor Fenton with such rare unanimity, under the circumstances attending it, it would be an unwise discrimination to set aside his able and faithful colleague. He would acknowledge the services and sacrifices of the soldier, and this the Union party has always done and will continue to do. But there is no one who can at this time present a better claim to recognition and indorsement than

Lieutenant-Governor Alvord, and he asked, as simple justice, that no discrimination be made against this able, tried and trustworthy public servant.

Mr. C. T. Hurlburd, of St. Lawrence, presented the name and urged the claims of ex-Senator William A. Wheeler.

Mr. Smythe, of Tioga, General Van Petten, of Herkimer, Mr. McGowan, of Albany, M. I. Townsend, of Rensselaer, and James H. Ramsey, of Schoharie, spoke in favor of Mr. Alvord; Mr. Littlejohn, of Oswego, for Mr. Wheeler; and Mr. Grove, of Kings, for General Woodford.

The vote for a candidate for Lieutenant-Governor resulted as follows:

Thomas G. Alvord, .....	160
Stewart L. Woodford, .....	167
William A. Wheeler, .....	54

Mr. Hurlburd returned thanks to the Convention for the support given to Mr. Wheeler, and withdrew his name.

The second ballot resulted as follows:

Woodford, .....	230
Alvord, .....	151

The President declared General Woodford the choice of the Convention, and on motion of Mr. Hiseock, of Onondaga, in the name of Lieutenant-Governor Alvord, the nomination of General Woodford was made unanimous, amid great applause.

Cheers were given for Woodford and for Onondaga county.

At a quarter past seven the Convention took a recess till half past eight.

## 

On the reassembling of the Convention, Mr. Spencer, of New York, moved a committee of three to wait upon General Woodford, nominee for Lieutenant-Governor, and request him to address the Convention.

On motion of Mr. Bullard, of Saratoga, Lieutenant-Governor Alvord was included in this invitation, and the motion was carried.

The Chair named Messrs. Spencer of New York, Bullard of Saratoga, and Folger of Ontario, as such committee.

Mr. George W. Clark, of Rochester, sang a song entitled "Of to-day and of to-morrow," which was well received.

## 

Mr. Madden, of Orange, moved to proceed to nominate a candidate for Canal Commissioner. Carried.

Mr. Caldwell, of Chemung, presented the name of the Hon. Stephen T. Hayt, of Steuben; Mr. Lyon, of Ulster, that of Gen. Theodore B. Gates, of Ulster; and Mr. Folger, of Ontario, that of O. B. Latham, of Seneca.

Mr. Rouse, of Madison, withdrew the name of Gen. Bruce from before the Convention.

Mr. Hiscock, of Onondaga, and Mr. Fiske, of Allegany, seconded the nomination of Mr. Hayt; Mr. Low, of Sullivan, Mr. Gove, of Kings, Mr. Cantine, of Ulster, and Mr. Laffin, of Herkimer, that of General Gates; and Colonel Murray, of Seneca, that of Mr. Latham.

The vote was then taken, and resulted as follows:

Stephen T. Hayt,.....	180
Theodore B. Gates, .....	134
Obadiah B. Latham, .....	29

On motion of Mr. Lyon, of Ulster, the nomination of Mr. Hayt as the candidate for Canal Commissioner, was made unanimous, amid hearty cheers.

### SPEECH OF GENERAL WOODFORD.

Mr. Spencer, from the Committee, here came upon the platform, in company with General Woodford, nominee for Lieutenant-Governor, who was greeted with cheers. General Woodford was introduced and spoke as follows:

*Mr. Chairman and Gentlemen of the Convention:*

With a very full heart I thank you for the generous confidence that you have placed in me this afternoon, and for the kind welcome that you have given me to-night. The hour is late, you still have part of your ticket to nominate, and it would be ungenerous in me to detain you with extended remarks.

We are to go into a conflict upon which depends much more than the simple election of the Republican candidates for the State of New York. Through our voice at the polls this autumn, New York is to declare whether she stands by the principles for which the war was fought to its glorious end. [Applause.] You will declare whether you are true to your allies in that fight; whether to-day, in the generosity with which you extend the hand of forgiveness to repentant rebels, you are therefore to turn your backs upon the only men who stood by us in the hour of our trial, our peril, and in every hour of our conflict. Let us be generous, but, in our generosity, *let us be just*. [Applause.] If mercy is an

attribute of divinity, so, too, is eternal justice. And if the nation, to-day, in the hour of its triumph, and when peace comes back to the land, when your brave boys come home from the tented field, and the home circle is filled,—except in those sad places which shall never be filled again,—if now, in our rejoicings, when gladness rings like a glad song through our hills and vales; if to-day, in the hour of our triumph, we shall desert those gallant men who periled life and all, that they might stand by that loved flag—if we do that to-day, we are cowards and dastards. [Great applause.] Nay, more than that, we crush them back to long years of servitude. Debarred from hope under the government wherein they lived, still in the hour of our peril, the black men of the South were true to the Union, and true to the flag. They bared their breasts to meet the conflict. When our boys escaped from those hells of Southern prisons, and were making their way to the rivers and coasts, there was not a hut that was not an ark of safety to the refugee soldier. [Applause.] And if in the hour of our triumph and coming greatness, if in the power and prosperity of the American people, we are ungrateful to those poor men, because they are crushed and despised and without votes, there is no grandeur or greatness upon which a just God and Heaven can smile.

Let us then, gentlemen, close up the ranks. You need no argument here. You are all old and tried veterans, to whom drill and dress-parade are old ceremonies. You are gathering for the fight, and you can and will gain the victory, because that victory is union and restored loyalty.

Again thanking you for the kindness of your nomination, I sincerely, proudly and gratefully thank you, for permitting me to help and into the contest through which we go, the starry banner of the fathers of the Republic. I bid you God-speed in the conflict, and I know victory will be ours. [Prolonged applause, amid which General Woodford retired.]

## INSPECTOR OF STATE PRISONS.

The names of General Moffat, of Clinton, General Hammond, of Essex, and James K. Bates, of Jefferson, were presented for the nomination of State Prison Inspector, and their claims were severally urged by friendly delegates.

A ballot for the candidate resulted as follows :

Stephen Moffat,.....	78
James K. Bates,.....	87
John Hammond,.....	146

On motion the nomination of General John Hammond, of Essex county, was made unanimous.

## REMARKS OF LIEUT.-GOV. ALVORD.

Lieutenant-Governor Alvord, whose presence was observed, was then called for, and came upon the platform amid loud and hearty cheers. He spoke as follows:

*Mr. President and Gentlemen of the Convention:*

I thank you, that you have given me an opportunity, upon this occasion, to express my entire acquiescence, and hearty coöperation, in support of the ticket that you have this day nominated. [Applause.]

I trust that the sentiments and principles which have guided my action ever since the firing of the first gun upon Fort Sumter will guide me in the future [applause], and that so far as concerns my personal ambition, I am delighted to lay it upon the altar of my country, and to help fight our battles evermore in the ranks, as well as in elevated positions.

I deem it, upon this occasion, of all others, right to say, that we have more necessity now than ever to gather all our strength to go into the conflict, which is only begun, against a Democratic aristocracy and slaveocracy. We have in our midst some former standard-bearers of the great Union party who have become traitors, and it depends upon the noble sons of the State of New York to brand them with infamy that shall reach all over the world. [Applause.]

And I say — to thank you, who come from all portions of this State, that in your judgment and discretion in putting forward those whom you believe to be the best standard-bearers in this conflict — they are mine, and their banner is erected and unfurled to the winds of Heaven. [Applause.] I go forth in this contest, from this hour until the closing of the polls, with all the energy, with all the voice, with all the influence that I have, to bear them to the triumphant victory that lies before us. [Loud applause.]

It will not be necessary for me to state, fellow citizens, that within the limits of the county of Onondaga, the hearts of whose true men have ever beaten in accord with the glorious Union party ever since that party was created, that these hearts will beat responsive to your decision by a majority that will greatly exceed the majority that defeated the traitor Slocum one year ago. [Applause.] And all over the country the names of Reuben E. Fenton, Stewart L. Woodford, Stephen T. Hayt and John Hammond will be the watch-



words upon which shall be imprinted the undying principles of the great Union party of the country, which is certain to be triumphant in the great contest now pending. [Prolonged applause and cheers for Alvord.]

## RESOLUTIONS OF THE UNION LEAGUE.

Mr. Charles S. Spencer, of New York, by direction of the State Union League, presented the following resolutions adopted by that body at its session on Tuesday :

*Resolved*, That those who by taking up arms to destroy their Government commit the crime of treason, forfeit all political rights, and cannot claim as a right the protection of such Government.

*Resolved*, That to the loyal people of the United States who defended the Government against the assaults of armed traitors, and who, by their blood and treasure, put down their rebellion, belongs the right to dictate the terms upon which disarmed and defeated rebels shall be again reinvested with political rights and power.

*Resolved*, That Congress is the constitutional exponent of the legislative will of the nation, and to it, as such exponent, belongs the right to dictate the terms and conditions upon which those who have been in rebellion shall be again permitted to enter as political equals into councils and to take part in controlling the interests and destiny of the nation.

*Resolved*, That the Presidential incumbent under the Constitution of the United States, aside from the veto power, has no other authority than to execute the laws of the nation as enacted by Congress and adjudged in disputed cases by the judicial authority of the nation, and when he departs from the sphere of duties assigned to him by the Constitution and laws of the United States, he acts without authority, and is guilty of usurpation dangerous to the liberties of the people and the stability of free institutions.

*Resolved*, That the existence and perpetuity of our National Government depends upon the prompt and energetic action of the loyal masses rebuking the assumption of authority by the Presidential incumbent in attempting to dictate to the people the terms upon which they shall again commit themselves into the hands of those who have once betrayed the land, who by their words or action, give earnest of second betrayal at the earliest opportunity.

*Resolved*, That loyal citizens of the United States, of whatever color, are entitled to at least as much influence and power in the administration of our General Government as acknowledged Rebels.

*Resolved*, That this Nation can have no enduring peace until the political power in the Rebel States is intrusted to the loyal citizens thereof.

*Resolved*, That it is the duty of the Loyal Leaguers of America to unite their energies in putting down this second rebellion, headed by Andrew Johnson, by the same means they aided in putting down the first rebellion headed by Jeff. Davis.

## ADDRESS AND RESOLUTIONS.

Mr. Geo. W. Curtis, from the Committee on Resolutions, read the following resolutions, which were unanimously adopted :

*Resolved*, That by the grace of God and the valor and intelligence of the people, the Constitution has been maintained as the supreme law of the land, and that every political, social and industrial interest of the country, as well as the most earnest desire of every generous and patriotic heart, imperatively demand the speediest restoration of the Union, which is consistent with constitutional justice and national safety.

*Resolved*, That the Union of the United States is perpetual, and that no power exists either in the federal government or in the several States rightfully to dissolve or destroy it. No State can rightfully secede from the Union or withdraw, or withhold its representation from congress with intent to prejudice the government ; nor can the jurisdiction of the general government over a State and its inhabitants or its rightful authority to execute its laws therein, be to any extent lost or impaired by rebellion and war or other unlawful conduct of a State, or by treason of its people. But while the constitutional authority of the federal government can in no wise be impaired by the acts of the State or its people, a State may, by rebellion and war on its part, and treason on the part of its inhabitants, and by the abrogation of its loyal State government and the creation and maintenance of one alien and hostile in its form, so far in fact rupture its relations to the Union as to suspend its power to exercise the rights and privileges which it possessed under the Constitution ; that against such rebelling State the federal government may wage war for its subjection, using for that purpose all the powers of the laws of war as recognized by the laws of nations ; and when that end is accomplished it belongs to the legislative powers of the government to determine at what time the State, by the reestablishment of a government republican in form under the Constitution, and by the complete abandonment of its rebellion and the return to loyalty of its inhabitants, may safely resume the exercise of its rights and privileges under the Constitution, which have been inert and suspended by its own wrong ; and the doctrine that such State has kept perfect and unimpaired all its rights and privileges while in rebellion and war, to be used or not at its option, and is itself to judge when it is in proper condition to resume their enjoyment, is false and pernicious ; and the other doctrine, that the President is alone sole judge of the period when such permission shall be at an end and the State be permitted to resume its power within the Union, is equally unsound.

*Resolved*, That in pursuance of those principles, the late insurgent States were required by the President, subject to the approval of Congress, to accede to certain conditions, including the ratification of the constitutional amendment of emancipation, which work a change in the constitutional basis of representation prejudicial to the equality of the States in Congress, and the continued absence of ten (10) of the late insurgent States from Congress, is due solely to their

refusal to recognize this change, and that their claim to enter Congress before that change is acknowledged, is a demand that a bloody attempt to dissolve the Union shall be rewarded with increased representation and political power.

*Resolved*, That the pending amendment to the Constitution proposed by Congress, which defines citizenship in the United States, and the civil rights of citizens, which equalizes national representation among the States, which disables from national or local office, at the pleasure of the people represented in Congress, those who, having taken an oath to support the Constitution of the United States, shall have engaged in rebellion against the same, and which declares the validity of the public debt of the United States, and invalidates every debt incurred by an attempt to overthrow the Union, is essential to engraft upon the organic law the legitimate results of the war, commends itself by its justice, humanity and moderation, to every patriotic heart, and that when any of the late insurgent States shall adopt that amendment, such State shall at once, by its loyal representatives, be permitted to resume its place in Congress.

*Resolved*, That inequality of guarantees of personal and political liberty is dangerous to the peace of States and to the welfare of freemen; and that we shall sincerely rejoice if the adoption of the Constitutional Amendment shall tend to that equalization of all political rights among citizens of the Union, and upon which chiefly the future peace, prosperity and power of the United States must depend.

*Resolved*, That the President of the United States, in denouncing, as constitutionally incompetent, the Congress whose lawful authority he has uniformly officially recognized, convicts himself of usurpation of powers; and that the tragical massacre of faithful citizens in Memphis and New Orleans should admonish him that his policy encourages a spirit fatal to national tranquility, and which indefinitely delays the restoration of the Union.

*Resolved*, That alike as to our own and other lands we take our stand on the glorious platform which prefaces and justifies our Declaration of Independence, wherein liberty is commended, not as the prerogative of a superior race or caste, but as the natural birthright of all men, inalienable save by crime. We rejoice to witness the progress which other nations are making in the practical recognition of this inestimable truth, and we confidently trust that the day is not distant when throughout the civilized world there shall no more be found a despot, a vassal, nor a slave.

*Resolved*, That Reuben E. Fenton, by his able, faithful and vigilant discharge of the duties of Governor, has deserved and secured the confidence and gratitude of the people of our State, and we present him as a candidate for reelection in the assured truth that his nomination will be ratified by an increased and commanding majority.

*Resolved*, That we recognize in the other candidates upon our ticket men who have proved in the field and elsewhere, that patriotic fidelity and conspicuous capacity which commend them to the hearty support of the loyal people of New York.

*Resolved*, That we cherish in grateful and eternal remembrance the brave soldiers and sailors who, through four years of fire and blood, bore the banner of the Union to glorious victory, and that we hold in

undying honor the brave men of every race, in the insurgent States, who, during the late war, and under the most ferocious persecutions, heroically maintained their faith in the Union, and succored its imprisoned soldiers, and that we pledge to them, and to every citizen everywhere in the land, who is now sincerely faithful to the Union, our unswerving sympathy and support, praying them to close up the mighty line, and hand in hand, and heart in heart, to move on to assured triumph; that in the words of our beloved and immortal leader, Abraham Lincoln, who, though dead, yet speaketh, "the government of the people, by the people, for the people, shall not perish from the earth."

## ADDRESS.

Judge Noah Davis, of Orleans county, presented the address, as follows :

*To the People of the State of New York :*

The magnitude of the questions involved in the approaching elections has seldom been surpassed. Their importance seems to require that this convention should lay before you the views and principles touching these questions, of the Union party, which it represents.

The darkest and most calamitous event of the war was the assassination of LINCOLN. That awful crime raised to the presidency a man who had been elected to the second office by the votes and upon the platform of the Union party. He came to his place breathing threatenings and violence so fierce that thoughtful men were alarmed at his possible career. A few months have elapsed and the artillery of his denunciation is all leveled at his former friends. Surrounded by men who throughout the great struggle were his bitter denouncers, as well as the steady opponents of the war for the Union, and consorting with pardoned rebels who for years have sought his life, as well as the life of the nation, we find him to-day denouncing the Union party as "the enemies of the Union" — "the traitors of the North, whom he will fight as he fought the traitors of the South," and fiercely calumniating a co-ordinate branch of the government, as "the so-called Congress" — "a body hanging on to the verge of the government," and seeking by treason to destroy the Union !

The experience of the former might teach us that these latter ebullitions were also the mere froth of personal passion, or official arrogance ; but, unfortunately, they are countenanced and echoed by constitutional advisers, who

talk of "kings" and "dictators," as possible circumstances in our government; and they have rallied to his side not only those who were lately in open arms against the country, but all who secretly or openly aided or abetted them; all who rejoiced at rebel victories; all who encouraged or conducted northern riots; all who opposed drafts or aided desertions; all who denounced the measures of LINCOLN and strove to thwart them; all who condemned every step of Congress throughout the war, and all whom the hope or possession of official patronage can enlist in what he tersely describes as his army of "satraps and dependents."

From an assemblage of such men, tempered by others who have too easily fallen into the delusions of their outcry against Congress, an "Address and declaration of principles" has been put forth which the President has solemnly baptized as equal if not superior to the Declaration of Independence!

It is well, therefore, to inquire whether a party that has stood by the country through weal and woe; which no disaster has daunted, no calamity depressed, and to which the Federal Government and the Union owe their very existence to-day; whether that party, and the representatives in Congress it has chosen, are indeed enemies of the Union and traitors to its government.

This inquiry involves principles of the weightiest character, and embraces the issues between Congress and the President.

The closing victories of our armies, and the surrender of the rebel forces, left the rebellion crushed from the sheer want of physical power to keep up the fight. The Federal Government had thereby maintained its jurisdiction and regained power to execute its laws throughout the rebel States. These had never been rightfully, but in fact had been wholly displaced. Alien governments had been organized, claiming and exercising all the forms and enginery of political powers, and armies had been levied and war waged and maintained for years with fearful energy. By our final victory, these *de facto* governments lay humbled and broken at our feet. The destruction of these governments left the people who had created them, subject for the time to the military power that held and occupied their territory.

From this state of things, two classes of questions have arisen between Congress and the President.

First. As to the rightful authority of Congress to legislate for the protection of the people within those States, who had once been slaves.

Second. *As to where lay the power to determine when the rebel States were in condition to resume the exercise of all the rights which they had once enjoyed under the Constitution.*

As to the first of these classes, we say, that slavery had been abolished under the authority of the laws of war, by the proclamation of emancipation, within the territory covered by that instrument; and its abolition had been made complete and universal by the amendment of the Constitution. That amendment, which declares that "neither slavery nor involuntary servitude \* \* shall exist within the United States, or any place subject to their jurisdiction," was meant to do something more than to change the name of a great evil. Hence express power was granted to Congress to enforce the new article by appropriate legislation.

By force of the amendment the former slaves were at once made freemen, possessed of the rights that belong under the federal Constitution to persons who are free. The right freely to buy and sell; to do lawful labor and have its fruits, peaceably to assemble and petition against grievances; to keep and bear arms; to be free from unreasonable searches and seizures; to have liberty of conscience; to migrate from one State to another, carrying with them these constitutional rights; to "due process of law," in the protection of life, liberty and property; to the care and custody of their own children and families—all these with their necessary incidents became theirs as absolutely as they ever were the rights of the proudest of their masters. It is a badge of slavery when a freeman, without conviction of crime, is made subject, without his consent, to laws depriving him of these rights, or unjustly restricting their exercise, and especially to such laws as do not equally affect all other citizens of the State. Yet this was the condition in which Congress found the new made freemen. Laws especially applicable to "colored persons," as a class, severely affecting their rights, but having no operation upon the whites, and in some cases imposing taxes for the use of the whites, in which they were permitted no participation, and inflicting punishments to which other citizens were not subject, prevailed more or less in every State. Some of these laws were subjected to the doubtful process of abrogation by the arbitrary military power of the President; but others remained. Men who are subject to impositions of this kind are slaves, though they may not be driven like dumb cattle to the market. Hence the ordinary dictates of justice demanded that Congress should legislate for their protection. Who will say that Congress has not power to protect all citizens everywhere, when necessary, in the enjoyment of rights expressly secured to them by the Constitution itself? And more especially where power is expressly conferred, to make effective the grant of freedom to millions of people? It is in vain to tell the freedmen that such laws are void, and

that courts will so adjudge. Their existence in fact works all the evil which their rightful enactment could produce, and hence it is not only lawful, but entirely just to protect, by positive laws, the poor and helpless in the enjoyment of constitutional rights.

But these men had other claims to protection than those founded upon abstract legal right. In the midst of treason they had been loyal. They had given us 200,000 soldiers to fight the rebellion. Thousands of them had died in battle and other thousands been maimed and wounded in our cause. In every way within their humble power they had done good service to the country. Is it possible that we could abandon them in their helplessness and poverty, to men once their masters and now enraged both at their loyalty, and their own loss of property in them? No! the loyal people of America are not capable of ingratitude so base! Our plighted faith has gone forth to every person of these freemen throughout the South, and God being our helper we will keep it forever. The bills of Congress touching the freedman which became laws, we hold were not only constitutional but pre-eminently just and necessary; and we rejoice that Congress had the firmness to enact such laws notwithstanding the vetoes of the President.

We now come to the second class of issues between Congress and the President.

Stripped of all disguises, the controversy on this subject has been, *whether the power to determine at what time the suspension of the exercise of rights of the rebel States should cease, was vested altogether in the President, or in the Government, as represented by its legislative functions.*

The President asserts that it rests wholly in the *executive fiat*, and that the people through their representatives in Congress have no voice or choice in the matter. "I" is the language of his acts and words, "I have created the provisional governments; I have summoned the conventions; I have imposed the terms and conditions; I have proclaimed when these terms and conditions have been satisfactorily complied with, and have declared the States restored to the enjoyment of their suspended rights, and that is the end of argument." This is "my policy," and for Congress to doubt or reject it is treason."

No State has presented itself that has not passed through the executive crucible; and it is but just now that Texas has bent to the executive will and received her certificate of purgation.

It is, indeed, a momentous question whether the President has this tremendous power, and whence he derives it. As a



matter of precedent it is of vital consequence ; for it is easy for plain folks to see that if the President can impose one set of conditions, he can another. He can fix any or omit all conditions, and if Congress be powerless there is neither appeal nor review. If he can require a State to repudiate, he can compel it to assume its debt — to abolish slavery or establish it — to exclude traitors from office or put them alone in power — to banish or recall its rebel citizens — to pension or punish its rebel soldiers ! What a good man would not do, a bad man could ; and if assassination should ever give us a worse President, some future rebellion may close by handing over to traitors all legislative power. The President should be able to show a clear authority for the assertion of such an exclusive power. It finds no countenance whatever in the doctrines of the Philadelphia convention. They deny all authority to the Government by *the laws of war*, and assert that those laws, “so far as the rights they confer are concerned, relate *solely* to wars waged against alien and independent nations, and can have *no place or force* in this regard,” in our civil war. And they declare that the very instant the resistance of a rebel State to the laws and authority of the Federal Government is overcome, all its rights, privileges and powers as a member of the Union, which have all the while been *perfect, but simply not used*, spring into immediate operation. That there is no period of probation, no terms or conditions, and, least of all, no enforced change of State constitutions — nothing but for the conquered traitors to lay down the musket and take up the ballot — to stop shooting and go to voting.

Nay, they go so far as to hold that the shooting and voting may be concurrent acts, provided the rebel State has not forbidden its elected belligerent to take the constitutional oath ! Under the principles announced at Philadelphia, President JOHNSON is a gross usurper, who, with no power under the laws of war, and no warrant under the Constitution, has dared to compel sovereign States to alter their fundamental laws as the price at which they should be permitted to enjoy and exercise constitutional rights which they fully possessed ! Every anathema which that convention levels at Congress falls first upon the head of the President, and nowhere has his conduct in fact received so severe a condemnation as in the house of his friends. For nothing can be more incongruous with the idea that the rebel States possessed at the close of the war and were immediately entitled to exercise their constitutional rights within the Union, *full and absolute*, than the counter idea that the Executive could set up a process, or terms and conditions, through which alone those rights could be enjoyed. We hold these doctrines to be false

and pernicious; but the purpose now in hand is to show that they are clearly at war with the acts and positions of the President. President JOHNSON has for himself declared what are his views of the condition of the rebel States when the rebellion was subdued. "They are," said he, "deprived of all civil government. The State institutions are prostrated, laid out on the ground, and they must be taken up and adapted to the progress of events."

He proceeded, therefore, as commander-in-chief of the army of the federal government, to take initiatory steps which should permit a portion of the people of those States to resuscitate or create republican forms of government. As such commander he could create no government but a martial one, and could confer no state rights which the general government was bound to recognize. As the civil executive he could enforce all laws of the United States whenever he saw fit to govern no longer in his military capacity; but there his independent civil power must end. He proceeded, therefore, in disregard of the *de facto* state organizations and forms of government, and in equal disregard of former state constitutions, to create new bases of suffrage, and permit such of the people as he chose, to set in motion toward reorganization. Upon their action he could base his determination as to when he would lift off the hand of military power; but how and where is he made the sole arbiter of the question whether the forms of government set up by the persons he has allowed to act, *are republican within the meaning of the Constitution*. Until that point be reached, he has at all times insisted that the rights of the States, under the Constitution, were *suspended*, and has himself assumed to fix the time when that suspense had terminated, so that the State might resume the exercise of her former rights and relations within the Union. This power, we insist, is civil and administrative in its nature, and belongs not to the President alone, but to the government of which the legislative and executive branches are component parts. This position may be illustrated by supposing that the rebel voters of South Carolina had died "to the last man in the last ditch," as they so often swore to do, and had thus left the State with women, children and freedmen, but not a solitary elector under any of her forms of government. What, then, would be the condition of *the State*, which, according to Philadelphia, has its rights within the Union in primeval vigor, or according to JOHNSON, in suspense, till *he speaks*? The plain necessity would, in that case, exist not only of organizing, but of *first conferring the capacity to organize*; and Congress, under its constitutional

duty to guaranty to every State a republican form of government, must set about the legislation that would reach that end.

We hold, therefore, that a State, while it can by no act deprive the federal government of its constitutional sovereignty over its territory and people, may, in its corporate capacity, do acts by withdrawing its representatives and itself from the Union; by destroying its existing State government, and creating another; and by war against the federal power, which will put it in such a condition, that when its *de facto* government is destroyed by arms, *some power* must judge as to the time when it regains a condition to resume the exercise of its federal rights. That power, we insist, is in the government, acting through its legislative functions, and not the President. The President claims that it is in *him alone*. The Philadelphia Convention asserts that it is *nowhere*, because the necessity for its exercise can, under the Constitution, never arise. But we have no desire to leave the President to the mercy of doctrines more abhorrent than his own. The doctrines on this subject announced at Philadelphia we hold to be grossly wrong and dangerous. They hold that a State which in its political corporate capacity renounces all allegiance to the federal government, and declares itself an independent power; which alters its form of government and sets up another, not republican, under the Constitution, but under which all its officers are created; which raises armies and levies war against the general government; which assumes and exercises all the belligerent rights of an alien power, and which for years maintains itself *de facto* as a foreign and hostile State, and whose citizens or subjects are all guilty of treason, under the Constitution, is nevertheless capable of keeping intact throughout its rebellion a perfect right to representation in Congress, which they declare, "neither congress, nor the federal government, has any authority or power to deny to any State, or withhold its exercise under the Constitution from the people thereof."

This doctrine encourages rebellion, by keeping whole the rights of a State while it tries the experiment of forcible secession! Its argument is based upon the conceded fact that no State has constitutional power to withdraw from the Union, or take itself outside of the jurisdiction and laws of the Federal Government. Individuals, they say, may commit treason, but a State can commit no crime and forfeit or suspend no right. But the practical fact that a State can commit crime, is sealed in the blood of 300,000 loyal men. It was *by State action* that the people went out, and their universal excuse for individual treason is "My State went out and I

had to go with her." In her corporate capacity, a State can herself commit, and compel citizens to commit, the very act which in natural persons is treason; and her moral guilt is none the less a crime because, as a State, she cannot be hung. This is simply a revival of the exploded notion that a corporation can do no wrong. It is absurd to argue that wrongs cannot be committed because constitutions and laws forbid them. The same reasoning would show that no person can commit crime, because all crime is against law. Wherein is it clear that a State may not destroy its republican form of government? It is against that very contingency that the Constitution provides, by declaring that the United States shall guaranty to every State a republican form of government. In the rebel States the people destroyed that form; for who will dare assert that the forms they set up were republican within the sense of the Constitution. We subdued them while they had complete State organizations under such alien and anti-republican forms. Was their absolute right of representation embodied in the new form, or embalmed in the old, which was dead or no longer had organization? But the people will not be embarrassed by constitutional metaphysics. On questions affecting human rights an intelligent people are the best constitutional judges on earth. They bring them to the test of practical common sense; and hence through the war their judgment has been unerring. The cry of unconstitutionality has assailed almost every act and measure of LINCOLN'S administration. But, in the great struggle for a nation's life the people held to the simple rule, that *nothing can be unconstitutional that is NECESSARY to save the Constitution*. With equal ease they will cut the Gordian knot of the Philadelphia lawyers and sophists. For every man's "hard horse sense" tells him that no State can claim rights and privileges under the Constitution while it is fighting in open war to destroy it; and no defeated traitor can, of just right, leap out of his armor into the robes of office, and claim to govern men whom he has failed to kill.

It will not do to apply to the rebellion, the principles applicable to an insurrection within a State of a portion of its people against the Federal government, and which does not involve the State government, and is in no sense its act. In that case the relations of the State to the general government and all its rights remain complete though actual war may be raging with its rebellious citizens. It is the error of the Philadelphia Convention that it seeks to apply the principles of Constitutional law that would govern such a case to the great civil war; which was a war waged by States gov-

erning their citizens and wielding them against the National Government.

It is puerile to argue that if Congress have power to act in respect to the rebel States, the representatives of loyal States may be excluded at the will of a majority. The statement of the position is its refutation, for the condition of things which empowers Congress to act in the one case, can have no existence in the other.

It is a question of expediency as to the mode in which to execute this power; but that Congress possesses it concurrently with the Executive, is as clear as truth.

The sole aim of the Union party is a fully restored Union of the States, at the speediest practicable moment, with the equal rights of all men, everywhere in the Union, preserved and guarded. The measures that will best secure that end we favor; but we will never consent that the Southern Unionist who stood by our flag at every sacrifice during the war, and the humbler freedman who gave us his blood and prayers and now casts all his hopes upon our justice, shall be the victims of rebel vengeance at the return of peace. Yet this is all that the unhappy policy of the President has brought them.

In adjusting these questions it was the plain duty of Congress to protect the rights of all the inhabitants of the rebel States, and to foreclose, if practicable, all questions upon which future difficulties were likely to arise. That this could best be done by constitutional amendments is apparent because the questions are of a nature that cannot otherwise be conclusively disposed of.

The first and most important of these is the right of citizenship both of the United States and of the State, and to prevent the deprivation by States of the rights to life, liberty and property, and the denial of the equal protection of the laws. The proposed amendment on this subject, in our judgment, is simply declaratory of existing law; but that fact may be and by many is controverted. It is wisdom, therefore, to guard against the danger that some tribunal may repeat the infamy of the DRED SCOTT decision, and hold that persons of African descent are not citizens within the meaning of the Constitution, and that that instrument was framed by our fathers upon the idea that "negroes have no rights which white men are bound to respect," which idea modern democracy has translated into the equally infamous phrase, "this is a white man's government."

If the wisdom of this provision needs an argument, let it be sought in the butchery of Memphis, and the massacre at New Orleans.

It is of gravest importance, also, to adjust the apportionment of representation to the new condition of things, and find a basis that shall give equality among all the States. The basis proposed is upon the whole population of a State, excluding from the count all citizens of twenty-one years of age, to whom, by the State law, is denied the right to vote.

This basis disfranchises no one. It simply deprives every State of the power to restrict the elective franchise to a *favoured few*, and thus clothe them with authority to represent large bodies of citizens who are permitted no voice in the selection of their representatives.

Under the present basis, a few thousand voters in South Carolina choose representatives for 700,000 inhabitants, of whom a large majority are absolutely disfranchised. This, practically, operates to give a reconstructed rebel of that State a far larger representative power than is possessed by any loyal citizen of the State of New York. That this is unjust, needs no argument. That if it remains it will be a source of future discontent, is equally true. It is right, therefore, that it should be settled now, and so settled that the *greed of power* will be enlisted on the side of justice.

The future welfare of the country demands, also, that the validity of the national debt should be established by the Constitution. Its amount is immense, and it is easy to see that its repudiation will soon become the party war cry of demagogues. Already we hear it darkly hinted, although all party organizations profess to deem the debt inviolable. When southern representatives are admitted to power how long will it be before they will cry out against the alleged injustice of making them assist in paying our war debt and pensioning our soldiers? Parties at the North will spring up ready to strike hands with these southern malcontents, and the cry of repudiation will shake the public credit if it do not ultimately ruin the public honor. There is no safety for the public credit until this question be forever removed from the fluctuating chances of party politics. Now is clearly the time to settle it forever.

Even greater importance attaches to a final disposition of the rebel war debt. That is counted by thousands of millions. It is said to be repudiated by the States; but this is not true of all of them. South Carolina declined to repudiate, and the people of North Carolina by rejecting the new constitution have repudiated repudiation. But there is no safety in trusting to mere State repudiation. Each State may reverse its action, and establish the debt as a valid one. The pressure to do this will be enormous, and there is great danger that it will ultimately be done, unless a final barrier be raised. What

a vast pecuniary pressure mingling with the ambition of politicians may hereafter be brought to bear upon Congress to assume this debt need hardly be suggested. There is no safety except in constitutional inhibition.

The payment of claims for the emancipation of slaves is another question that ought now to be disposed of. The Southern mind is full of the idea that such claims will at some time be paid. The Philadelphia convention was careful not to suggest that claims of that nature are to be repudiated. On the contrary, they laid the foundations on which such claims will hereafter be brought forward. They declared that the laws of war "relate solely, so far as the rights they confer are concerned, to wars waged between alien and independent nations, and can have *no place or force*" in war between the States and the Federal Government. Upon this basis it will be claimed that the proclamation of emancipation was a nullity, and that all slaves freed under it were unconstitutionally emancipated, and therefore should be paid for by the government that wrongfully took them away. They declared, also, the doctrine that the States in rebellion possessed at all times during the war, the right of representation in Congress, the exercise of which was obstructed solely by such rebel laws as forbade the taking of the oath to support the Constitution; to which as a sequence they, in substance, declared that Congress had no power to *propose* amendments to the Constitution in the absence of representation from the eleven rebel States because of their "equal and indefeasible right to a voice and vote" in the making of such proposition.

The amendment abolishing slavery, the argument will be, is invalid, for want of compliance with the constitutional provision in proposing the same; and our State action on the subject of its adoption is of no force, because it was had under the duress of military power, which denied us our constitutional rights after we had laid down our arms and acknowledged our allegiance to the government.

Upon these grounds it will be demanded, and the demagogues of the nation will be ready to concede, either the restoration of slavery or compensation for the emancipated slaves. No supporter of the Philadelphia convention can well resist such a demand, and some future Congress may be found weak or wicked enough to yield it. The duty to guard against this great danger is imperative and clear.

The amendment that shuts out from *office* those official rebels who reached treason through perjury, is surely as mild a form of making that great crime "odious" as can well be suggested; and even that is tempered with power on the part of Congress to remove the restriction.

These, fellow citizens, are the propositions, on which the vials of Presidential wrath have been opened ; but they are the embodiment of measures which for the most part all profess to favor, and each of which has at some time in substance been suggested by the President himself.

We believe them to be eminently proper and just. Their adoption by the rebel States will immediately restore, by consent of Congress, the suspended rights of the rebel States. The question of restoration is therefore in their hands, and the rejection of these just terms is altogether their fault, and not the fault of Congress nor of the people.

The great struggle is to be upon the election of members of Congress. We beseech you, in every district of the State, to lay aside all personal bickering and strife, and look only to the duty you owe to your principles and your country. For nothing is clearer than the fact, that if Congress be put into the hands of the supporters of the President's policy the fruits of the war will be lost — perhaps forever.

We commend to your hearty support the candidates presented for State officers, by this Convention.

The enthusiastic unanimity with which REUBEN E. FENTON was renominated for Governor, is a just tribute to his fitness for that high office.

While discharging his duties with great industry, unsullied integrity and firm and constant watchfulness over the public interests, he has at all times displayed an order of executive ability and a dignified but unassuming urbanity, that have won him not only the respect of a whole people, but a title to rank with the worthiest of his predecessors. His re-election is due to his official merit and personal worth, and especially to the highest interests of the State.

The candidate for Lieutenant-Governor, Gen. STEWART L. WOODFORD, of Kings, has rendered efficient service in the field, and has proved himself to be the fit representative of a class of patriots whom the people will always delight to honor. In addition to his claims to our support for meritorious service as a soldier, he comes before the people with a high character for integrity and ability.

In STEPHEN T. HAYT, the nominee for Canal Commissioner, will be recognized one who is in all respects well qualified to discharge the duties of that important office. In the Senate of this State and in various official positions he has manifested an integrity and capacity that have won him his present nomination.

Maj.-Gen. JOHN HAMMOND, the candidate for State Prison Inspector, by his patriotic efforts in the cause of the Union, and by his personal services in the field has deservedly entitled



himself to public honors. We have not space to recount the services by which he distinguished himself in the Union cause and gained high promotion in the army. For business capacity and unquestioned integrity, Gen. Hammond stands among the foremost of the citizens of the State.

*These men can all be trusted*; and we invoke for them the cordial support of the electors of the State.

### REMARKS OF MR. CURTIS.

Mr. George Wm. Curtis, after reading the resolutions in a manner which deeply impressed all hearers, was called out, and made the following remarks :

I thank you, with all my heart, for the kindness of your call. It is not in my heart to tax your patience for a single moment longer. The work of this day needs no further crown. We have done the work for which we came. We have named the men who are the fit banner-bearers of the contest which now comes upon us; and remember, gentlemen, that the contest, begun yesterday in Vermont, will be continued around the lines; and remember still more, that excepting the yesterday's result in Vermont, this is the only convention in which the people have as yet spoken. What the people think, what the people mean, we have had a sign in Vermont.

The same faith which conducted the American people through the darkest days of the war, will conduct us through the present emergency. And precisely as their glorious triumph two years ago at the polls wrote down the death of the rebellion, so to-day a more glorious triumph, which already begins to glitter along the horizon of the future, will break down the organized political opposition to the will of the people, which will enable us to declare what the Continental Congress so proudly said: "The cause of the nation is the cause of human nature."

The Convention then, by an unanimous vote, adopted the resolutions, which, together with the address and the speeches delivered, were directed to be published as a campaign document.

### REMARKS OF GENERAL BARLOW.

General Francis C. Barlow, Secretary of State, in response to calls, came forward, and in behalf of the Soldiers and Sailors, asserted their loyal adhesion to the party whose principles they had upheld in their defense of the country during

its period of danger. He called the attention of the delegates to the National Soldiers' and Sailors' Convention, to be held at Pittsburgh, and the State Convention to be held at Syracuse on the 20th of September, and urged their hearty coöperation.

### THE PRESIDENT'S CLOSING ADDRESS.

A vote of thanks was tendered the officers,

Whereupon, the Hon. Lyman Tremain, President of the Convention, made the following closing remarks:

Let me congratulate you upon the harmonious termination of your labors. This has been in every respect a most remarkable Convention—remarkable for the learning, the wisdom, the experience, and the high social standing and political position of its members. And considering the circumstances under which you convened—you are the representative party, distinguished for its freedom of thought and action, a representative party who were not sitting here like some other "*noble* convention," having a padlock upon your lips—it was to be expected that there would be a greater diversity of understanding. But the spirit of devotion manifested for the common weal by our Lieutenant-Governor Alvord, is an indication of the spirit which has pervaded all the deliberations of this Convention. [Great applause.]

The people will ratify your proceedings, I fully believe. And I also believe that you will receive from your constituents the response, "Well done, good and faithful servants." Desiring your safe return to your homes and families, I do now declare this Convention adjourned.

The Convention gave rousing cheers for the Union, for the ticket this day placed in nomination, and for the "boys in blue;" when, at half-past eleven, after listening to one of Whittier's beautiful songs of liberty, sung by Mr. George N. Clarke, the delegates dispersed.